

VILLAGE OF ANTIOCH  
PLANNING AND ZONING BOARD  
THE BOARD ROOM, VILLAGE HALL  
874 MAIN STREET, ANTIOCH, ILLINOIS

February 23, 2006

CALL TO ORDER: The meeting of the Antioch Planning and Zoning Board was called to order by Chairman Burdick at 7:30 p.m. in the Board Room at Village Hall, 874 Main Street, Antioch, Illinois 60002.

ROLL CALL: Roll call indicated the following members were present: Ipsen, Cole, LaReese and Baba. Member Kaiser, Member Keller and Attorney Magna were absent this evening. Also present were Chairman Burdick and Village Attorney Matt DeMartini.

MINUTES: Minutes from this evening's meeting was approved by Member Ipsen and seconded by Member Baba.

ANNOUNCEMENTS: There were not any announcements.

OLD BUSINESS: PZB 05-15; PUBLIC HEARING; Proposed Zoning Change from R-3 to R-5 for westerly part of site and PUD for entire site at NW corner of Spafford & Naber; multi-family building with 16 dwelling units; Exceed Development, Charles V. Miles.

Chairman Burdick asked if a representative was in attendance, no-one responded. He then asked if the Board would consider a general continuance and exactly what the general continuance would stand for.

Attorney DeMartini explained that anyone who received legal notice will again receive legal notice, the hearing would not go forward without everyone who was entitled to get notice getting notice and it being put in the newspaper.

Chairman Burdick mentioned that he was a little upset seeing the plan that was originally brought in as a 16-unit adult center now being turned into a 20-unit townhome complex with no age restrictions.

Member Ipsen asked if a motion can be made to deny because of lack of interest.

Chairman Burdick replied yes and that would push it off for a full year.

Member Baba asked if the petitioner knew that he needed to be in attendance for this meeting.

Attorney DeMartini responded that he was aware of the date but was told that nothing legally would or could be done except for a continuance.

Member Baba stated that he thought that was the point of the clarification a couple of meetings ago, where people needed to be in attendance, no matter what.

MOTION:

Member Ipsen made a motion to deny PZB 05-15 due to lack of interest. Member Baba seconded the motion.

DISCUSSION:

Mr. Robert Silhan, Planning, Zoning & Building Director, stated that part of the notice was the mistake of the staff. However, the petitioner did know that the hearing was continued and it was expected that someone was to be in attendance, he added.

He explained that even if this was denied the petitioner still had the opportunity to approach the Village Board with the request to be able to file a petition prior to the expiration of the twelve month time frame if there was a reason given why they should be considered.

Member Baba mentioned that everyone should be given due process and in less staff gave an indication to the petitioner that they did not have to attend, then the expectation of the Board was that someone was supposed to come tonight representing the development group.

Chairman Burdick stated that half of the people that came to the meeting were here for this hearing, and they were inconvenienced, as well.

Member Baba explained that it was made very clear to the petitioner what the expectations of the Board are. If exceptions are made why make rules, he asked.

Attorney DeMartini suggested that since the order of the meeting was rearranged the board should wait and vote in order.

OLD BUSINESS:

PZB 05-08; PUBLIC HEARING; Proposed Zoning Variations to Sections 11-3-2 (O) and 10-7A-3 (B) (3) of the Antioch Village Code; and preliminary plat of subdivision within existing M-1, Limited Manufacturing Zoning District; PIN 02-05-300-063.

PRESENTATION:

Mr. Mark Eiden, attorney for the petitioner, explained that last time they were requesting various forms of zoning relief which occasioned the need for a hearing which were not necessary under the new plan.

A new plan was submitted for the purpose of complying with all the provisions of the ordinance. It is a seven lot subdivision, the cul-de-sac has been shortened in order to meet the length requirements, the size of the bulb has been increased and the set back variations have been dropped. The desire to put a single building across two lots did not require a variation, he explained.

He further explained that on the revised plan, the lots to the east are much larger because the cul-de-sacs have been shortened. There is a 30' building setback, a 15' buffer yard and an attempt to save the larger trees on the east end. There is considerably less density and fewer lots, he stated.

Mr. Eiden mentioned that a recommendation is being sought from the Village Board for preliminary plat approval with no variations. All of the zoning and subdivision ordinance provisions have been complied with. The landscaping issues from the staff report will be complied with. It is understood that the Lake County Watershed Development Ordinance needs to be complied with and that IDOT, in respect to access on Rt. 83, has to be dealt with.

He understands that contrary to the staff memo it is understood that the Rt. 83 corridor plan is not in the ordinance at this time and doesn't apply to the subdivision. Also, because of the reduction in density, it's understood that an emergency signal would not be needed because it is not defined in the ordinance, he further mentioned.

PUBLIC COMMENT:

The recording secretary administered the oath to the public.

DISCUSSION:

Chairman Burdick asked if the siren that was going to be put in was for the north end of the Village.

Mr. Silhan replied yes, that it was an area wide consideration. The comments about the corridor study and the emergency siren were merely requests, he explained. This no longer requires a public hearing for variations. The applicant has responded well with the revised plan to what the Board's recommendations were, he mentioned. He explained that this was not a zoning hearing, but a meeting to review the preliminary plat of subdivision. The suggestion of staff is to move forward with a positive vote. The concern with tree replacement can be met on the proposed final plat, he suggested.

Chairman Burdick explained that the purpose of the corridor study was to beautify the area coming in from the state line to Antioch, It is not a requirement but any developer coming in the future should take the suggestions into consideration.

Mr. Eiden mentioned that the study could not be obtained on-line.

Chairman Burdick responded that before the development a copy can be provided.

Member Ipsen asked if there was an engineering report because that was what the objectives were based off of at the last hearing.

Mr. Keith Fujihara replied that he had a couple of concerns such as the road cross section but mentioned that those were details of construction and not for the plat. The cul-de-sac's were not large enough at one point for semi-trucks but the way they were designed, left an area about 15' on the outside that can be used for the turns, which is satisfactory, he stated.

Chairman Burdick mentioned that the other comment was the setback that was changed on the south which was fine now.

MOTION:

Member Baba moves to approve PZB 05-08. Member Ipsen seconded the motion.

ROLL CALL:

**YES:** 4 Ipsen, Cole, LaReese, Baba  
**NO:** 0  
**RECUSE:** 0  
**ABSENT:** 2 Kaiser, Keller

OLD BUSINESS:

Chairman Burdick stated that a motion and a second was on the floor and asked if the developer or representative was present.

MOTION: Member Ipsen made a motion to deny PZB 05-15 due to lack of interest. Member Baba seconded the motion.

ROLL CALL:

<b>YES:</b>	4 Ipsen, Cole, LaReese, Baba
<b>NO:</b>	0
<b>RECUSE:</b>	0
<b>ABSENT:</b>	2 Kaiser, Keller

NEW BUSINESS: PZB 06-01; PUBLIC HEARING; Proposed Zoning Change from R-3 on the westerly part of the site to B-3, and a Special Use – PUD for the entire site; 41989 N. Hwy. 59; PIN 02-18-200-003 and 02-18-201-001.

PUBLIC COMMENT: The recording secretary reads the public hearing notice and administered the oath to the public.

DISCUSSION: Mr. Jim Keim of Everest Consulting explained that the site is approximately one acre which was the old ComEd power station site. Currently the site is split-zoning, the western half is zoned R-3, the eastern part is zoned B-3 and all the remaining area to the north, south and west is already zoned B-3. A 12,000 sq. ft. building is being proposed, and approximately 26% right now which per the comments might need to be shaved down to 25% to the allowable total coverage for the site, 33,000 sq. ft. of impervious surface to about 72%.

He mentioned that it will be a commercial building being used for cell phones, tile, offices, retail, camera shop or cleaners. No students will be generated but tax money for the schools and Village will be generated. Access to the site is being proposed to come off of Rt. 59; IDOT's comments are to put a right-in, right-out unless further studies are done. The project cannot tolerate widening so they are agreeable to the right-in, right-out only.

He explained that site utilities and a lift station are present at the site. Sewer and water are running along Hillside and the plan is to tap in from Hillside. There is a small wetland on the site approximately .06 acres of isolated wetland. It is permissible to impact a small amount of wetland within a .25 acre threshold. They want to fill a little wetland in the corner and are not going to fill the wetland that's along the property line to the north rather use it as a possible treatment area for storm water.

He stated that forty-five parking stalls are being proposed. A landscape buffer towards the residential properties will be provided. 30' buffer or reduced to 15' buffer providing landscaping will be provided along with screening, he further explained. They agree with all the necessary improvements that need to be done. It was asked that they put in a Village connect sidewalk which they are also willing to do, he further stated.

Member Ipsen asked if semi's will need to get through.

Mr. Keim responded that the deliveries will either be made by UPS or FedEx.

Chairman Burdick asked if there was going to be any type of food center.

Mr. Tom Crichton replied that he has never had a call for a small grocery store.

Chairman Burdick mentioned that when food is involved even something as simple as getting coke delivered is done by semi's.

Mr. Crichton explained that since the spaces are going to be smaller, in the 1000 – 2000 range, they don't have the proper layout for them.

Member Cole asked about the lighting and how that's going to impact the neighbors.

Mr. Keim explained that the lighting is minimal and in accordance with the ordinance. There is low level lighting with no large poles. Small, shorter parking lot lighting that is screened and shielded so there is no direct view of the actual light bulb for the residents.

Member LaReese asked if the easement for the lift station was going to be complied with.

Mr. Keim replied absolutely and understands the lift station is on the property without an easement. Mr. Crichton is agreeable that the Village gets that easement, he stated.

Mr. Crichton mentioned that two parking spaces will be designated for the lift station.

Member Baba asked what the speed is by the setback located off of 59 at the driveway.

Mr. Keim responded 40 or 45 but will need to check on that.

Member Baba mentioned that a right-in, right-out would be easier then having somebody coming out of there having to make a left turn onto 59. When making a right turn northbound 59 would a deceleration lane be needed and how much space would be needed to do that, he asked.

He stated that some sort of negotiable variance is being requested on the setback and asked if the building size was negotiable as well to provide a little bit more space for the parking which would allow for more setback off of 59 which may allow for a deceleration lane or a slight acceleration lane from the shoulder or road.

Mr. Keim replied that they are working with IDOT and they have not indicated they would be going after deceleration or acceleration lanes. The site distance is good and it's not anticipated that they are going to ask for any road improvements. He'd have to speak with Mr. Crichton about reducing the size of the building, if the request is to back everything off of 59. Some accommodation should be able to be made, he further mentioned.

Member Baba asked what the marketing of this is and if there were people in mind.

Mr. Crichton responded that typically 90% of the tenants are residents. It is more low volume such as a cleaners, title company, real estate office, carpet offices. The rent will be less because we they are more of a hometown business center.

Attorney Matt DeMartini asked if any consideration has been given to signage for the southbound traffic considering 59 being made into a right-in, right-out.

Mr. Keim stated that they will make sure it's signed properly.

Member Baba asked about the impact as you go up Hillside as it cuts off just prior to the Ace Hardware property as it comes past Cemetery and then links up with 173. A left turn on southbound 59 will not be able to be made which will bring traffic into the residential area. There will probably be more left turners off of westbound 173 onto Harden and he then asked what the impact of that was going to be. Once people get savvy to the point that they can't make a left turn what would be the fix, he asked.

Mr. Keim replied a fix would be to allow full access somehow. The project cannot tolerate widening 59, it's not a big enough project. The only way would be to allow some access off of Hillside to capture those who cannot access the site from 59 to the south. A ton of traffic is not anticipated, it's for the smaller users. There will be some additional traffic but it is felt it can be handled if it is signed appropriately; the roads are already there for access.

Member Baba asked about the impact of the neighbors on Hillside and those that infiltrate through Ace Hardware.

Mr. Crichton explained that they have met with the State and they are trying to get full access off of 59 to try to keep their traffic off of Hillside. He understands that people fly down Hillside.

Member Baba mentioned that now they are adding to it with an attractive nuisance. There is a potential of more irritation and more infiltration. If you're looking for accessibility off of 59 but you know that widening is not in the cards, which direction should you go, he asked.

Mr. Keim stated they would like the opportunity to work with IDOT and staff to see if that could be addressed. There was talk about possible re-development of the Ace Hardware site possibly connecting it to a stub, the trash enclosure would have to be relocated but providing a hard connection to future development, he explained.

Elizabeth Yao of 1146 Bayshore mentioned her concerns with the traffic on Hillside and the way people drive. The roads are not in great shape and when people come off of 59 they do not slow down and people coming out could be hit. Harden and Hillside are disasters and the traffic has doubled. The stop sign is set so far back that people don't realize they have to stop when the trees are in full bloom, she further mentioned.

Jim Parks of 1192 Mystic Cove asked if a study was done on the impact of storm water drainage or run-off.

Chairman Burdick asked if the development was going to be done in phases or all at one time.

Mr. Keim replied that all the appropriate erosion control will be installed. It will be built in one phase and go up fairly quickly. The site will be stabilized and all the best management practices will be used to prevent sediment from being transported downstream or off-site at all.

Attorney DeMartini asked what the distance is between the site and the Ace Hardware parking lot.

Mr. Keim responded 50' – 100'.

Attorney DeMartini asked if there was an alternative option for water run-off if an agreement was made to cut through.

Mr. Keim responded that some other accommodation for water treatment will have to be made. There is enough green space to use some grass swales as water treatment but then a section of 20' – 25' wide would be taken away.

Mr. Dustin Nilsen stated that the site is half residential, half commercial and not a suitable residential site. Per the comp plan and per the planning perspective it is more suited for a commercial site. To clean up the zoning and provide an opportunity for development to go here, we support and recommend approval for the re-zoning. It's a lower intensity type of service/office/retail which is consistent. Being an infill site, being only an acre, any outstanding technical issues that may remain will be worked out.

He mentioned that the right-in, right-out access has been granted by IDOT. They would like to keep the traffic on 59 and away from Hillside but at the same time 59 presents its own challenges of a full moving access. If a full movement access becomes advantageous to eliminate some of the cut through traffic, the opportunity should be considered but IDOT will need to make the final call. Two points of access is requested for the purpose of giving people the opportunity to access from two points and to provide emergency access if needed, he further mentioned.

Chairman Burdick asked about the parking and landscape issues that were brought up.

Mr. Nilsen replied that the petitioner has agreed to work out the issues and they will provide and comply with the landscape PUD ordinance.

Chairman Burdick explained that there are not any codes, or regulations on setbacks or design on 173 but they are working on that and want beautification. The front of the roads should start developing properly instead of just open parking all along the roads. It's a thought and we can't require it but it's the thought that should be involved in all future developments.

Mr. Crichton mentioned that he is in agreement with that. He wants a nice looking building that is very well landscaped. It not only helps the Village but helps him as a landlord because it attracts good tenants, he further explained.

Mr. Parks mentioned that the building is a very nice building and doesn't believe that the issue in regards to the roads is the problem of the project but is more of a Village issue. The Village should find ways to improve the road and slow down the traffic. There will not be much increase of traffic from this project, he further mentioned.

Chairman Burdick stated that was brought up, that they will have to work with the developer. Traffic is a real problem in any community. There should be excessive time spent on trying to improve traffic control and areas bypassing traffic, he further stated.

Mr. Brian Wilson of 10 Hennings asked what it would take to close Hillside from 59.

Chairman Burdick replied that it would take a study from someone other than the Board.

Attorney DeMartini mentioned that the police are aware of the cut through problem.

Chairman Burdick stated that people cut through the roads because of the way they are laid out.

Sheila Cook of 1091 Hillside stated that people do not slow down and there is a lot of traffic.

Chairman Burdick mentioned that the police should regulate the traffic. There is not enough space and the road is not wide enough. He then asked if there has been talk of road improvements.

Mr. Silhan replied that a study has not been done and the problems of Hillside to Harden go way beyond the petition that's before us.

Chairman Burdick said he understands that but it should be looked into because it will be affected.

Member Ipsen mentioned that the widening of 59 is inevitable and asked if there was enough room.

Mr. Keim responded that there would be room to accommodate a three lane section.

Mr. Crichton explained that they will do everything they can do along with the staff and IDOT to direct all of the traffic to 59 and off of Hillside.

MOTION:

Member LaReese moved to approve PZB 06-01 with staff recommendations. Member Cole seconded the motion.

ROLL CALL:

YES: 4 Ipsen, Cole, LaReese, Baba  
NO: 0  
RECUSE: 0  
ABSENT: 2 Kaiser, Keller

MOTION:

Member LaReese moved to adjourn at 8:50 p.m. The motion was seconded by Member Baba.

**Motion Carried**

Respectfully Submitted,

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Katherine A. Gallagher  
Permits Coordinator



